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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,779	08/01/2003	Daryoosh Vakhshoori	AHURA-1	5052
7590	05/22/2006		EXAMINER	
Mark J. Pandiscio Pandiscio and Pandiscio, P.C. 470 Totten Pond Road Waltham, MA 02451-1914			LEPISTO, RYAN A	
			ART UNIT	PAPER NUMBER
			2883	

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding..

Office Action Summary

Application No.

10/632,779

Applicant(s)

VAKHSHOORI ET AL.

Examiner

Ryan Lepisto

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 21-41, 45-62, 66-72, 76-81, 85-90 and 94-96 is/are rejected.
- 7) ☒ Claim(s) 18-20, 42-44, 63-65, 73-75, 82-84 and 91-93 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 August 2005 and 11 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/17/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Figures 5-9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-17, 21-41, 45-62, 66-72, 76-81, 85-90 and 94-96** are rejected under 35 U.S.C. 102(e) as being anticipated by **Wu et al (US 6,433,921 B1) (Wu)**. Wu teaches a system for amplifying optical signals (Figs. 1, 7-11, 13-23, 28, 34) for using in a wavelength-division multiplexing communications system (column 5 lines 36-39)

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comprising an optical fiber (fiber links, column 5 lines 28-29) for carrying optical signals, a high power broadband light source comprising an optical component (many different embodiment shown, 10, 18, 44, 62) that may be a semiconductor amplifier source (planar waveguide 62) or a fiber source (Figs. 1-4) for generating amplified spontaneous emission (ASE) having a relatively short coherence length with respect to a polarization-maintaining fiber in a depolarizer (94) (column 10 lines 56-68) and wherein multiple wavelength seed waveguide subsections (64), each for a different wavelength (λ_1 , λ_2 , etc) are combined to create a composite source (column 8 line 60 – column 9 line 26), reflectance mirrors, (100) (column 11 lines 27-33), an amplifier (booster 86) for amplifying the source at the output of the multiplexer (68) for combining source subsections (64), a depolarizer (94) that introduces orthogonal polarizations to eliminate polarization dependences (column 10 line 56 – column 11 line 4), a connector for introducing the light into the fiber (many different splices/connections are taught) as a Raman pump (20) for Raman amplification within different fibers (column 5 lines 52-60 for example) and spectral filters (column 7 lines 27-30) to provide a desired spectral distribution for the pumps (20) that may be thin-film gain equalization filters (column 6 lines 44-45) or grating filters (140, 142).

Allowable Subject Matter

3. **Claims 18-20, 42-44, 63-65, 73-75, 82-84 and 91-93** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in

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independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: These claims would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims because the latter, either alone or in combination, does not disclose nor render obvious a spectrally filtered high power broadband light source comprising an optical component configured to generate amplified spontaneous emission (ASE) having a relatively short coherence length wherein the component comprises a plurality of ASE sources having their outputs combined together to form a composite ASE source and has a plurality of wavelength seed subsections arranged in a serial configuration for generating ASE, a power booster section for amplifying the ASE and wherein each of the seed subsections is arranged to produce ASE in a particular wavelength range, in combination with the rest of the claimed limitations.

Response to Arguments

4. Applicant's arguments with respect to rejected claims have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Lepisto whose telephone number is (571) 272-1946. The examiner can normally be reached on M-Th 7:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

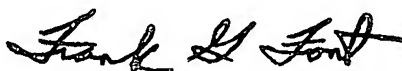
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ryan Lepisto

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Date: 5/4/06



Frank Font

Supervisory Patent Examiner

Technology Center 2800